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Interagency Group/Countermeasures

Washington, D.C. 20505

D/ICS-84-0912
20 November 1984

MEMORANDUM FOR: Members and Invitees

FROM:

[Redacted]

Executive Secretary

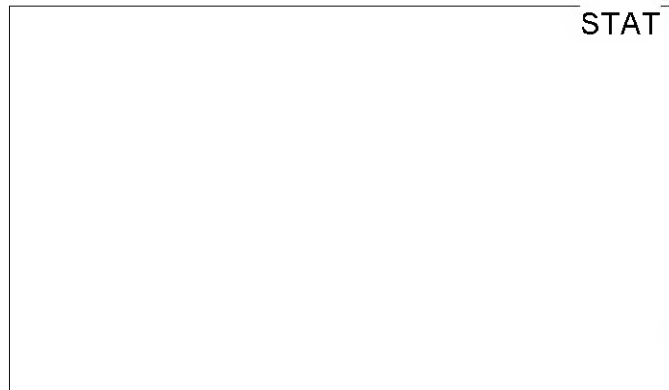
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SUBJECT: Final Minutes of Fourteenth IG/CM Meeting,
18 October 1984

Attached are final minutes of the fourteenth IG/CM meeting held on 18
October 1984. (U)

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Attachment:
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SUMMARY OF IG/CM MEETING

18 October 1984

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1. The fourteenth meeting of the IG/CM was convened at 0900, 18 October 1984, by the Chairman (DUSD-Policy), General Richard G. Stilwell, USA (Ret.). A list of individuals attending is at Attachment 1.

2. The Chairman made the following opening remarks:

a. DoD will soon issue a new DoD regulation which will authorize withholding of technical data from public disclosure. This authority was contained in the FY 1984 Authorization Bill.

b. FY 1985 Authorization Bill provided authority to conduct as many as 3,500 counterintelligence polygraph tests over the normal DoD level as a condition for access to highly sensitive classified information.

c. The Navy (NIS), FBI, and Department of Justice were commended for their efforts in the apprehension of Samuel Morison.

d. Along with the agenda for instant meeting, the Secretariat had provided the IG/CM membership a copy of an NSA memorandum, subject: Consolidation of COMSEC Threat Data Bases--Action Memorandum. The memorandum recommends that with the interagency readjustments in COMSEC threat data bases over the past 18 months and the current NSA COMSEC mission posture, the issue involving the consolidation of threat data bases should be withdrawn. The IG/CM membership agreed.

e. The Office of Personnel Management (OPM) issued, without Executive Branch coordination, a change to the personnel manual called Basic Installment 311. This change concerns the clearance process and requirements for certain types of background investigations on new hires and the re-issue/reinvestigation of personnel already cleared. The new requirements go considerably beyond current DoD practices and their implementation would cost DoD \$300-400M. Mr. Taft, Deputy Secretary of Defense, issued a memo stating DoD would not comply with the change until the personnel working group pursuant to NSSD-84 issues its report. The current DoD Appropriations Bill contains a rider stating DoD cannot spend money on OPM's changes until July 1985.

3. The Chairman then turned to the scheduled agenda, which was discussed with the following results.

a. Macro Countermeasures Resources Study: Study Director of the IG/CM Macro Countermeasures Resources Study commissioned by the SIG-I, presented a status report on the work.

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(1) The heart of the study is some 50 tables and figures extensively footnoted.

(2) With a few exceptions, the figures are estimates of varying degrees of reliability. They should not be used for decisions on specific increases or decreases. They are of value from a top policy point of view, however, because of the broad perspective obtainable therefrom.

(3) Since the study is not likely to soon be repeated, the data, even though soft, will constitute a reference base line for some time.

(4) Appreciation is due the participating agencies for their cooperation in collecting and providing data for the study. Despite the strong questioning of its purpose and value, departments and agencies addressed the tasks involved with professionalism and discipline.

ACTION: A full draft will be distributed by the end of October, with suggested changes due back no later than 21 November. The Chairman requested that the study be available to him for appropriate consideration and action by the IG/CM and then the SIG-I prior to the end of December. For those study participants who still have bits and pieces outstanding, the soonest possible submission was requested.

b. Leak Legislation: Mary Lawton, DoJ, reviewed the submissions from respective agencies/departments concerning key questions as outlined in the minutes of the thirteenth IG/CM meeting dated 31 August 1984. Although she had not received comments from all the IG/CM membership, following are key points from the submissions of CIA, DoD, NSA, IS00, and FBI:

- The one item of agreement is that leak legislation should be Executive Branch sponsorship with a named lead agency. Aside from that, there is no agreement on the key aspects of proposed legislation.
- Who should be covered by the legislation? Commenting agencies were evenly split on the question of whether coverage should be limited to employees of the Executive Branch.
- What should be the penalty structure? DoD suggests misdemeanor. The remaining agencies suggested a felony offense except IS00, which proposed a two-level penalty.
- What is the appropriate placement of the bill within the existing criminal code system? DoD suggested placing it in the criminal code section in the chapter concerning breach of

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trust. ISOO suggested the espionage section, and CIA had no preference.

- Should the proposed bill apply to any classified data or be limited to only "properly" classified data? DoD suggested properly classified, and the remaining agencies suggested just classified.

Ms. Lawton concluded by proposing the establishment of a working group to resolve differences between agencies and that a lead agency be identified to chair the group. She also reiterated that there were many differences and that the working group would need guidance from the IG/CM.

A general discussion followed Ms. Lawton's presentation, and the following points were discussed:

- Mr. L. Britt Snider, OSD, suggested that the staffers on the Hill be "felt out" on their views, which may be at variance with Executive Branch positions. Also, the staffers might have ideas that should be considered in Executive Branch considerations.
- Mr. deGraffenreid objected to Mr. Snider's suggestion. He stated it was premature to go to the Hill. The initiative should first be reviewed by the Executive Branch which would determine what meets the requirements to stem leaks.
- [redacted] CIA, suggested that Ms. Lawton's proposed working group prepare a strawman which is acceptable to the Executive Branch, i.e., kind of coverage, penalty, etc. Mr. [redacted] recommended the DCI Security Committee (SECOM) chair the working group. STAT
- [redacted] SECOM, stated SECOM is very involved in leaks and the DCI looks to them to work the leak problems. STAT
- The Chairman stated that the IG/CM membership could not develop proposals in a vacuum without some idea of what the Hill is thinking. The Hill could be a sounding board, but not for positions. The Chairman proposed DoJ as chairman of the leak legislation working group with CIA, DoD, and Paul Thompson of the NSC as members. The membership had no objection. NSA requested membership. The Chairman stated Ms. Lawton could have whomever she feels would contribute. STAT

ACTION: DoJ is to form and chair a leak legislation working group to be comprised of, at a minimum, representatives from CIA, DoD, NSC, and others as the DoJ chair deems appropriate. The objective is to develop

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and preliminarily coordinate a proposed legislative bill for presentation to the IG/CM.

4. Special Notes:

a. The Chairman noted that the DCI had requested a briefing on the national security aspects of certain imagery collection contracted for by the Government be presented to the SIG-I. Mr. John F. Donnelly, OSD, Chairman of NOAC, will brief the SIG-I.

b. In reference to NSDD 84, Kenneth deGraffenreid, NSC, stated that Ms. Lawton's options paper is on hold and that the NSC would review it after the election. Mr. deGraffenreid does not anticipate any problems with the options and will report to the membership at the next meeting on NSC actions taken.

5. The meeting then adjourned at 1030.

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Attachment 1

ATTENDEES

IG/CM Meeting, 18 October 1984

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| <u>NAME</u> | <u>ORGANIZATION</u> | |
|------------------------|---------------------|------|
| STILWELL, Richard G. | OSD | |
| SNIDER, L. Britt | OSD | |
| ANDERSON, Maynard | OSD | |
| FAJANS, Arthur | OSD | |
| PARKER, Phillip A. | FBI | |
| | CIA | STAT |
| | CIA | |
| | CIA | |
| | NSA | |
| | NSA | |
| | Army | |
| ALLEN, Robert C. | Navy | |
| PASEUR, George | Air Force | |
| | DIA | STAT |
| LUNDSTROM, Edward | State | |
| LAWTON, Mary C. | Justice | |
| | SECOM | STAT |
| | NSC | |
| deGRAFFENREID, Kenneth | Commerce | |
| BROWN, Alan F. | Treasury | |
| McBRIEN, Robert | ISOO | |
| WILL, Robert | | |

Secretariat

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Distribution of Final Minutes of Fourteenth IG/CM Meeting (D/ICS-84-0912)
(w/atts as shown):

- 1 - Gen. Stilwell, OSD
- 5 - Mr. Snider, OSD (to be distributed to Army, Navy, Air Force and
Marine Corps)
- 1 - Mr. Du Hadway, FBI
- 1 - [redacted] CIA
- 1 - Mr. Heichler, State
- 1 - [redacted] NSA
- 1 - Mr. deGraffenreid, NSC
- 1 - [redacted] DIA (for JCS)
- 1 - [redacted] SECDEF
- 1 - Ms. Lawton, DoJ
- 1 - Mr. McBrien, Treasury
- 1 - Mr. Peterson, Commerce
- 1 - Mr. Wingfield, Energy
- 1 - Mr. Krohn, FAA
- 1 - CAPT Grady, Coast Guard
- 1 - Mr. Garfinkel, ISOO
- 1 - DCI
- 1 - DDCI
- 1 - ER
- 1 - D/ICS
- 1 - DD/ICS
- 1 - ICS Registry
- 1 - IG/CM subject
- 1 - IG/CM chrono

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